

Approved, SCAO

Original - Court
1st copy - Appellant
2nd copy - Appellee

3rd copy - County clerk
4th copy - Return

**STATE OF MICHIGAN
JUDICIAL CIRCUIT
COUNTY**

**CLAIM OF APPEAL ON APPLICATION FOR
CONCEALED WEAPON LICENSE AND
REQUEST FOR CERTIFIED RECORD**

CASE NO.

Court address

Court telephone no.

Appellant's name, address, and telephone no.

Appellee's name, address, and telephone no.

v

Appellant's attorney, bar no., address, and telephone no.

County clerk's name, address, and telephone no.

(See instructions on other side.)

CLAIM OF APPEAL

1. _____ claims an appeal from the:
Name
☐ a. decision on _____ by _____ Concealed Weapon Licensing
Date Name of county
Board (attached). ☐ The application was denied under MCL 28.425b(7)(n).
☐ b. failure of the _____ Concealed Weapon Licensing Board to issue a decision by
Name of county
_____. The application, filed on _____, complied with
Date Date
MCL 28.425b(1), (5), and (9).
2. The nature of the proceedings before the board, including the citation to the statute authorizing the board's decision, are: (Attach additional pages as needed.)
3. Appellate review is authorized by ☐ MCL 28.425d. ☐ Const 1963, art 6, § 28.
4. Venue is based on _____
State the facts

REQUEST FOR CERTIFIED RECORD

I request that the _____ Concealed Weapon Licensing Board send a certified copy
Name of county
of the record to the _____ Circuit Court.
Name of county or court number

Date

Appellant/Attorney signature

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this claim of appeal on the Concealed Weapon Licensing Board and the county clerk by first-class mail addressed to their last-known addresses as defined in MCR 2.107(C)(3).

Date

Signature

INSTRUCTIONS

1. Complete this form (a) after the licensing board has failed to issue a timely decision or (b) within 21 days of the application being denied.

If the appeal is from the denial of an application, attach a copy of the licensing board's decision with the claim of appeal, along with any materials that accompanied the board's decision (MCR 7.121[B][2][d]).

2. Present the claim of appeal and four copies to the clerk of the circuit court in the county where (a) the application was denied or (b) the licensing board failed to issue a timely decision.
3. If the application was denied pursuant to MCL 28.425b(7)(n), a hearing will be scheduled (MCR 7.121[C][2]). Ask the clerk of the circuit court how to obtain a date and time for a notice of hearing.*

If the application was denied for another reason, the appeal will be reviewed without a hearing for an error of the record (MCR 7.121[D][3]).

4. Pay the filing fee to the clerk of the circuit court.
5. Mail a copy of the claim of appeal to all parties in the case: the county clerk; the county prosecutor (or his/her alternate) who serves on the licensing board; the county sheriff (or his/her alternate) who serves on the licensing board; and the director of the Michigan State Police (or his/her alternate) who serves on the licensing board. After mailing copies of the claim of appeal to the parties, file the "return" copy with the clerk of the circuit court.

Within 14 days of being served the claim of appeal, the licensing board must file an appearance that complies with MCR 7.104(F).

6. Within the 21-day period for filing the claim of appeal, complete the "Request for Certified Record" section of this form, asking the licensing board to mail a certified copy of the record to the circuit court. The licensing board must send a certified copy of the record to the circuit court within 14 days of the request (MCR 7.109[G][1]). The circuit court must immediately send written notice to the parties when the certified record is filed (MCR 7.109[G][3]).
7. If a hearing was scheduled pursuant to MCL 28.425b(7)(n), appear at the hearing on the scheduled date and time.

* Hearing requirements differ by county. The clerk of the circuit court can provide information on hearing requirements for his or her respective county.